

(This page intentionally left blank.)

UNITED STATES DEPARTMENT OF AGRICULTURE
Forest Service

INTEGRATED RESOURCE CONTRACT

September 2004
(Date of Issue)

PROVISIONS FOR MEASUREMENT OF PRODUCTS AFTER HARVEST

This contract is organized into Parts, Sections, Subsections, and Items. These are numbered in accordance with the following scheme: Part B, Section B.1, Subsection B.1.1, and Item B.1.1.1. References to a Part include all Sections, Subsections, and Items within that Part; references to a Section include all Subsections and Items within that Section; and references to a Subsection include all Items within that Subsection. Cross-references within this contract cite the reference number of the applicable Part, Section, Subsection, and Item. Descriptive headings used are not to be considered in determining the rights and obligations of the parties.

Parts B through J are subject to Specific Conditions in Part A. Wherever appropriate, Specific Conditions established in Part A are cited by reference number. The listing of Sections, Subsections, or Items in provision A.21 has the effect of striking or deleting them from Part B through J. Provision A.22 lists provisions that comprise Part K. Where appropriate, references to Special Provisions are made by citing the applicable reference numbers.

INDEX TO TERMS

Term	Reference	Term	Reference
Advertised Rates	A.4.2	Integrated Resource Account	E.2
Base Index	A.4.2	Intermittent Scaling Services	G.8.1
Base Rates	A.4.2	Marked	C.3.5
Bid Premium Rates	A.4.2	Negligent Fire	H.4.2
Bid Rates	A.4.2	Normal Operating Season	G.3.1
Catastrophic Damage	C.1.3.3	Off-Road Equipment	G.3.5
Claim	J.2	Operations Fire	H.4.1
Clearcutting Units	C.3	Out-of-Pocket Expenses	I.3.5
Construction	I.6.6	Overstory Removal Units	C.3
Continuous Scaling Services	G.8.1	Plans	F.2.1.1
Contract Area	B.1	Required Deposits	A.4.2
Contract Area Map	B.1	Scaling	G.8
Contract Term Adjustment	I.2.1	Schedule of Items	F.2
Contract Term Extension	I.2.3	Service	I.6.6
Contractor's Operations	G.3	Shop Drawings	F.2.1.1
Current Contract Rates	D.1	Specified Roads	F.2
Current Contract Value	D.1	Stewardship Credits	E.2.2
Current Unit Rates	F.2.5.1	Streamcourses	G.5
Design Change	F.2.5.3	Subcontractor	I.6.4
Extended Scaling Services	G.8.1	Substantially Completed	F.2.3
Extension Deposit	E.2.1.7	Temporary Roads	F.1
Fire Precautionary Period	H.2	Tentative Rate	A.4.2
Flat Rates	A.4.2	Termination Date	I.2
Included Timber	C.1	Understory Removal Units	C.3
Indicated Advertised Rates	I.2.2.1	Utilization Standards	A.2, C.2

CONTENTS

Reference Number	Title	Page	Reference Number	Title	Page
A.0	SPECIFIC CONDITIONS	7	C.3.7	Minor Changes	15
A.1	Location and Area	7	C.4	Volume Estimate	15
A.2	Volume Estimate and Utilization		C.4.1	Adjustment for Volume Deficit	16
	Standards	7	C.4.2	Adjustment for Excess Volume	16
A.3	Timber Designations	7	D.0	RATES OF PAYMENT	16
A.4	Timber Payment Rates	8	D.1	Current Contract Rates	16
A.4.1	Escalated Rates	8	D.2	Escalation Procedure	16
A.4.2	Flat Rates	8	D.2.1	Unavailable Index	16
A.4.3	Stewardship Credits	9	D.3	Rate Redetermination	16
A.5	Indices Used in Quarterly Adjustment	10	D.3.1	Rate Redetermination for	
A.6	High Stumps	10		Environmental Modification	17
A.7	Specified Roads	11	D.3.2	Rate Redetermination after	
A.8	Forest Service Engineering Completion			Catastrophic Damage	17
	Schedule	11	D.3.3	Rate Redetermination for Market	
A.9	Scaling Instructions and Specification	11		Change	17
A.10	Scaling Services	12	D.3.4	Emergency Rate Redetermination	17
A.11	Minimum Scaling Volumes	12	D.4	Other Payment Rates	17
A.12	Fire Precautionary Period	12	D.4.1	Material Not in A.2	17
A.13	Contractor Responsibility to Furnish		D.4.2	Timber Cut Through Mistake	17
	Crews and Equipment	12	D.4.3	Designated Timber Cut But Not	
A.14	Contractor's Obligation per Operations			Removed	18
	Fire	12	D.4.4	Undesignated Timber Damaged	
A.15	Termination Date	12		Without Negligence	18
A.16	Normal Operation Season	12	D.4.5	Undesignated Timber Unnecessarily	
A.17	Performance Bond	12		Damaged or Negligently or Willfully	
A.18	Downpayment	12		Cut	18
A.19	Periodic Payment Amounts	12	D.4.6	Liquidated Damages	18
A.20	Market-Related Contract Term Addition		D.4.7	Defect Caused by Abnormal Delay	18
	Producer Price Index	12	E.0	PAYMENTS	18
A.21	Inapplicable Provisions	13	E.1	Amount Payable for Timber	18
A.22	List of Special Provisions in Part K	13	E.2	Integrated Resource Account	18
B.0	CONTRACT AREA	14	E.2.1	Cash Deposits	18
B.1	Contract Area Map	14	E.2.1.1	Downpayment	18
B.2	Claims	14	E.2.1.2	Advance Deposits	18
C.0	TIMBER SPECIFICATIONS	14	E.2.1.3	Periodic Payment Schedule	19
C.1	Included Timber	14	E.2.1.4	Deposits for Charges Subject to	
				Escalation	19
C.1.1	Standard Timber	14	E.2.1.5	Deposits When Payment	
C.1.2	Substandard Timber	14		Guaranteed	19
C.1.3	Damaged Timber	14	E.2.1.6	Blanket Cash Deposits	19
C.1.3.1	Damaged by Contractor	14	E.2.1.7	Extension Deposits	19
C.1.3.2	Negligent or Willful Damage	14	E.2.1.8	Cooperative Deposits	19
C.1.3.3	Damaged by Catastrophe	14	E.2.2	Stewardship Credits	19
C.1.3.4	Minor Damage by Natural Causes	15	E.2.2.1	Progress Estimates	19
C.1.4	Unintentionally Cut Timber	15	E.2.2.2	Excess Stewardship Credits	19
C.1.5	Construction Timber	15	E.2.2.3	Excess Timber Value	19
C.1.6	Other Material	15	E.2.2.4	Cash Payment for Stewardship	
C.2	Utilization and Removal of Included			Projects	20
	Timber	15	E.2.3	Temporary Reduction of	
C.3	Timber Designations	15		Downpayment	20
C.3.1	Clearcutting Units	15	E.2.4	Refund of Excess Cash	20
C.3.2	Construction Clearing	15	E.2.5	Refund after Scaling Completed	20
C.3.3	Overstory Removal Units	15	E.3	Payment Guaranteed by Bond or	
C.3.4	Understory Removal Units	15		Deposited Securities	20
C.3.5	Individual Trees	15	E.3.1	Blanket Bond	20
C.3.6	Incompletely Marked Timber	15			

Reference Number	Title	Page Number	Reference	Title	Page
E.3.2	Letters of Credit for Payment Bond	20	G.4.2.3	Skidding on Roads	30
E.4	Payments Not Received	20	G.4.2.4	Arches and Dozer Blades	30
F.0	TRANSPORTATION FACILITIES	21	G.5	Streamcourse Protection	30
F.1	Authorization	21	G.6	Erosion Prevention and Control	31
F.1.1	Requirements of Rights-of-Way	21	G.6.1	Meadow Protection	31
F.1.2	Use of Roads by Contractor	21	G.6.2	Wetlands Protection	31
F.2	Specified Roads	21	G.6.3	Temporary Roads	31
F.2.1	Engineering	22	G.6.3.1	Temporary Roads to Remain Open	31
F.2.1.1	Contract Plans	22	G.6.4	Landings	31
F.2.1.2	Construction Staking	22	G.6.5	Skid Trails and Fire Lines	31
F.2.2	Material Delivery	23	G.6.6	Current Operating Areas	31
F.2.3	Use of Partially Constructed Roads	23	G.6.7	Erosion Control Structure Maintenance	31
F.2.4	Estimated Cost	23	G.7	Slash Disposal	31
F.2.5	Construction Cost Adjustment	23	G.8	Scaling	31
F.2.5.1	Variation in Quantities	23	G.8.1	Scaling Services	32
F.2.5.2	Physical Change	24	G.8.1.1	Scaling Location	32
F.2.5.3	Design Change	24	G.8.1.2	Scaling Adjustments	32
F.2.6	Alternate Facilities	25	G.8.1.3	Delayed or Interrupted Scaling	
F.2.7	Temporary Credit for Unamortized Specified Road Construction Cost	25		Services	32
F.3	Road Maintenance	25	G.8.1.4	Weighing Services	32
F.4	Use by Others	25	G.8.2	Presentation for Scaling	33
G.0	OPERATIONS	25	G.8.3	Scaling Other Products	33
G.1	Representatives	25	G.8.4	Accountability	33
G.1.1	Notices	26	G.8.4.1	Route of Haul	33
G.2	Improvements	26	G.8.4.2	Product Identification	33
G.2.1	Removal	26	G.8.5	Scaling Lost Products	34
G.2.2	Protection of Improvements	26	G.8.5.1	Scaling Lost Sample Loads	34
G.2.2.1	Protection of Improvements Not Owned by Forest Service	26	G.8.6	Scale Reports	34
G.2.2.2	Protection of Property	27	G.9	Stewardship Projects	34
G.2.3	Protection of Land Survey Monuments	27	G.9.1	Refund of Unused Stewardship Credits	34
G.2.4	Protection Measures Needed for Plants, Animals, Cultural Resources, and Cave Resources	27	H.0	FIRE PRECAUTIONS AND CONTROL	34
G.3	Control of Operations	27	H.1	Plans	34
G.3.1	Operating Schedule	27	H.2	Fire Precautions	34
G.3.1.1	Inclusion of Technical Proposal	27	H.2.1	Substitute Precautions	35
G.3.1.2	Plan of Operations for Road Construction	28	H.2.2	Emergency Precautions	35
G.3.2	Protection of Residual Trees	28	H.3	Fire Control	35
G.3.3	Safety	28	H.3.1	Contractor's Reinforcement Obligations	35
G.3.4	Sanitation and Servicing	28	H.3.1.1	Suspend Operations	35
G.3.4.1	Prevention of Oil Spills	28	H.3.1.2	Personnel	35
G.3.4.2	Hazardous Substances	28	H.3.1.3	Equipment	35
G.3.5	Equipment Cleaning	29	H.4	Fire Suppression Costs	35
G.3.6	Acceptance of Work	29	H.4.1	Operations Fire	35
G.3.6.1	Acceptance of Specified Roads	29	H.4.2	Negligent Fire	35
G.4	Conduct of Logging	30	H.4.3	Other Fires on Contract Area	35
G.4.1	Felling and Bucking	30	H.5	State Law	35
G.4.1.1	Felling in Clearings	30	H.6	Performance by Contractor	35
G.4.1.2	Stump Heights	30	I.0	OTHER CONDITIONS	36
G.4.1.3	Bucking Lengths	30	I.1	Title and Liability	36
G.4.1.4	Limbing	30	I.1.1	Title Passage	36
G.4.2	Skidding and Yarding	30	I.1.2	Liability for Loss	36
G.4.2.1	Rigging	30	I.2	Period of Contract	36
G.4.2.2	Landings and Skid Trails	30	I.2.1	Contract Term Adjustment	36
			I.2.1.1	Delay in Reconstruction of Processing Facilities	36
			I.2.1.2	Market-Related Contract Term Addition	37
			I.2.2	Termination for Catastrophe	37

Reference Number	Title	Reference Page Number	Title	Page
I.2.2.1	Termination by Contractor	37	J.0 PERFORMANCE AND SETTLEMENT	41
I.2.2.2	Termination by Forest Service	37	J.1 Performance Bond	41
I.2.3	Contract Term Extension	37	J.1.1 Bond Reduction	41
I.3	Contract Modification	37	J.1.2 Letters of Credit	41
I.3.1	Changed Conditions	37	J.1.3 Temporary Bond Reduction	41
I.3.2	Modification for Catastrophe	37	J.2 Disputes	41
I.3.3	Contract Suspension and Modification	38	J.2.1 Time Limits for Submission of Claim	42
I.3.4	Contract Termination	38	J.2.2 Contract Documents	42
I.3.5	Out-of-Pocket Expenses	39	J.3 Breach	42
I.3.6	Termination for Market Change	39	J.3.1 Termination for Breach	42
I.4	Performance by Other than Contractor	39	J.4 Damages for Failure to Complete	
I.5	Sale of Other Materials	39	Contract or Termination for Breach	43
I.6	Provisions Required by Statute	39	J.5 Settlement	43
I.6.1	Covenant against Contingent Fees	40	J.6 Contract Closure	43
I.6.2	Officials Not to Benefit	40	K.0 SPECIAL PROVISIONS	43
I.6.3	Nondiscrimination in Employment	40		
I.6.4	Debarment and Suspension			
	Certification	40		
I.6.5	Contract Consistency With Other Laws	41		